

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Sean Zeigler,

Petitioner,

v.

Case No. 1:18cv580

Warden, Lebanon Correctional Institution,

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on July 12, 2023 (Doc. 33).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties may forfeit rights on appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 33) have been filed and the time to do so has expired.

Accordingly, it is **ORDERED** that the R&R (Doc. 33) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Petitioner’s Motion for Relief of Judgment (Doc. 32) is **DENIED**. Moreover, Petitioner is denied a certificate of appealability, because reasonable jurists would not disagree with the Court’s conclusion, and Petitioner shall not be granted leave to appeal *in forma*

pauperis, as the Court certifies that any appeal would be objectively frivolous.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court